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Report together with the prescribed Returns

on the

Working of the Workmen's Compensation Act, 1923

(VIII of 1923)

in the

UNITED PROVINCES

For the calendar year 1939

14999

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Report on the working of the Workmen's Compensation Act (VIII of 1923) for the year 1939

THE District Officers throughout the province continued to work as Commissioners under the Act. They did not report any particular difficulty in the working of the Act.

2. During the year under report, the number of factories increased from 606 to 626 and the average daily number of workers employed in the registered factories showed corresponding increase from 1,55,085 in 1938 to 1,59,738 in the year under report ; 94·8 per cent. of this force was adult male. It is, however, a matter of regret that as the labour employed in the factories increased with the number of factories the number of accidents also increased and what is more is that the incidence of the accidents per 100 workers also went up by ·12 per cent. over last year's figures. The total number of accidents during the year under report was 2,632 against 2,380 of last year. Of these accidents 37 were fatal, 447 serious and 2,148 minor. Practically all the accidents recorded as serious were due to the fact that the injured persons had to remain off duty due to accidents for more than 20 days.

3. The study of figures over the last three years, i.e. 1937, 1938 and 1939 shows that not only the number of accidents has been continuously on the upgrade, but also that the incidence of accidents per 100 workers had also been going up. In 1937 the incidence was 1·39, in 1938 : 1·53, and in 1939, the year under report, 1·65. This shows that the increase in the number of accidents is independent to some extent of an increase in the number of workers. There are reasons to believe that this increase in the number of recorded accidents is partly due to vigilance and care being exercised by the supervisory staff and consequently there being better reporting on the part of the mill authorities. The fact, however, remains that the majority of these accidents were in sugar factories. In the Report on the Administration of the Factories Act this point has been fully dealt with and I do not wish to direct on the point any more.

4. The following statement shows the number of accidents of each kind for which compensation was paid during 1939, and also the amount of compensation.

Corresponding information for the year 1938 is also given :

Year	Death		Permanent disablement		Temporary disablement		Total	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount
		Rs.		Rs.		Rs.		Rs.
1938 ..	76	50,154	84	20,805	1,141	10,122	1,301	81,081
1939 ..	96	62,080	94	28,370	1,226	11,656	1,416	1,02,106

(Four cases of death in which compensation worth Rs.3,180 was awarded, but not paid pending appeals in the High Court, Allahabad, and one case of temporary disablement in which no payment was made during the year 1939, though the compensation was allowed, have not been included above).

5. The year opened with a pending list of 52 cases. One hundred and twenty-seven cases were instituted during the year as against 106 in the previous year. Forty-three cases were received for disposal from other Commissioners and ten were transferred. There were thus 212 cases for disposal out of which 152 were disposed of, leaving a balance of 60.

6. During the year 88 agreements for payment of compensation were registered against 97 in the previous year. Of these 84 were for permanent disablement. As usual Cawnpore tops the list with 31 agreements. Only two cases, one for permanent disablement and the other for temporary disablement were not registered against one in the previous year.

7. Accidents seem to have liking for the low-paid. The majority of those awarded compensation under the Act drew monthly wages not over Rs.21. Out of 99 fatal accidents, 71 victims came from this class of wage earners ; of 31 permanent disablement, again, 19 were of this class. Similarly, 5 out of 9 temporary disablement cases belong to this wage class. Even making allowance for the fact that the larger number of workers belong to this wage-earning group, the fact remains that there are more accidents in this class of workers than there are in others. Reasons are not far to see and among them no less is the fact that no particular attention is paid to train the labour force in safety-first-methods and in the case of sugar factories from which the majority of accidents come, the labour force is specially migratory and still less educated in safety-methods.

8. No appeal or reference under the Workmen's Compensation Act, 1923 was filed in the Chief Court of Oudh. Appeals in five cases, four of which had been allowed and one dismissed by the Commissioners were filed in the High Court of Judicature at Allahabad and are still pending decision.

9. The Compensation Act has no direct concern with the control of accidents in the factories, but it is intimately connected with them. It will perhaps not be out of place to mention here that given more attention on the part of the factories for the organization of safety-first committees in mills and with other similar attempts made to educate the workers in safety-first-methods, perhaps the incidence of accident could be decreased with corresponding saving to the factories in compensation money. The Labour Welfare Activities of the Department will take up this work in the future, but real and satisfactory progress can be made with the co-operation of the mill organizations. Perhaps it will be to the advantage of the factories if they could get themselves insured for the purposes of this Act as third party insurance is done in the case of motor vehicles.

SIDDIQUE HASAN, I.C.S.,
Labour Commissioner,
United Provinces, Cawnpore.

RETURN A. WORKMEN'S COMPENSATION ACT (VIII OF 1923)

Proceedings before the Commissioners for Workmen's Compensation for the United Provinces for the year ending 31st December, 1939.

Return of cases filed

[1. Application for the registration of agreements should not be entered in this statement.

2. A separate case should be entered for proceedings under section 8 or section 10 in respect of each person killed or injured as the case may be.]

Cases of	Pending at commencement	Filed	Received for disposal from other Commissioners	Transferred to other Commissioners for disposal	Cases disposed of without notice to the other party					Cases disposed of after notice to the other party							Total disposed of	Pending at conclusion	Court-fees paid	
					Withdrawn	Dismissed for non-appearance	Summarily dismissed under rule 21	Dismissed under rule 22	Total	Not contested			Contested							
										Admitted by opposite party	Allowed *ex parte*	Total	Allowed	Allowed in part	Dismissed	Total				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
																			Rs.	a.
Award of compensation (under section 10)—																				
Fatal accidents ..	29	21	10	1	2	..	..	..	2	8	4	12	7	3	1	11	25	34	18	4
Permanent disablement	6	26	2	2	2	1	1	..	4	5	3	8	8	..	4	12	24	8	6	8
Temporary disablement	..	6	..	..	..	..	..	1	1	3	1	4	..	..	..	..	5	1	2	4
Total ..	35	53	12	3	4	1	1	1	7	16	8	24	15	3	5	23	54	43	27	0

Cases of	Pending at commencement	Filed	Received for disposal from other Commissioners	Transferred to other Commissioners for disposal	Cases disposed of without notice to the other party					Cases disposed of after notice to the other party								Total disposed of	Pending at conclusion	Court-fees paid
										Not contested			Contested							
					Withdrawn	Dismissed for non-appearance	Summarily dismissed under rule 21	Dismissed under rule 22	Total	Admitted by opposite party	Allowed *ex parte*	Total	Allowed	Allowed in part	Dismissed	Total				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Commutation (under section 7).	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Review (under section 6)	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Recovery of compensation (under section 31).	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Proceedings other than those mentioned above and not included below under "Deposits under section 8."	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total :	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..

Deposits under section 8					Disbursed to dependants or workmen as the case may be	Refunded to employer			
(i) Fatal accidents [sub-section (1)].	*17	49	30	5	77	1	78	13	23 0
(ii) Disablements of women and persons under legal disability [sub-section (1)].	..	11	1	1	9	..	9	2	..
(iii) Others [sub-section (2)].	..	14	..	1	11	..	11	2	..
Total ..	17	74	31	7	97	1	98	17	23 0

*Three cases of deposits under section 8, fatal accidents, sub-section (1) which were pending at conclusion of the last year, but were left out in the report for the year 1938, are shown here as pending at commencement of the year 1939.

RETURN B.

WORKMEN'S COMPENSATION ACT (VIII OF 1923)

Registration of agreements by the Commissioners for Workmen's Compensation for the United Provinces for the year ending 31st December, 1939.

Applications for registration of agreements relating to—	Pending at commencement	Filed	Registered as filed	Registered after modification	Not registered on account of—		Total disposed of	Pending at conclusion
					Inadequacy	Other causes		
1	2	3	4	5	6	7	8	9
Payment of compensation for permanent disablement.	*14	87	84	..	..	1	85	16
Payment of compensation for temporary disablement.	..	5	4	..	..	1	5	..
Commutation of half-monthly payment.	..	..	..	..	..	..	..	..

***Five agreements which were pending at conclusion of the last year, but were left out in the report for the year 1938, are shown here as pending at commencement of the year 1939.**

RETURN C.

WORKMEN'S COMPENSATION ACT (VIII OF 1923).

Proceedings before the Commissioner for Workmen's Compensation for the United Provinces for the year ending 31*st December*, 1939

Number of adults in each wage-class to whom or in respect of whose death compensation was auarded or disbursed

[All cases of Review and Commutation and cases relating to minor workmen should be excluded.]

Monthly wages of the workmen injured		Number of workmen							
		For temporary disablement		For permament disablement		For fatal accidents		Total numbers	
More than	But not more than	Men	Women	Men	Women	Men	Women	Men	Women
Rs.	Rs.								
0	10	1	..	10	1	18	..	29	1
10	15	..	..	4	..	24	..	28	..
15	18	..	..	2	..	17	..	19	..
18	21	..	..	2	..	12	..	14	..
21	24	..	..	..	..	4	..	4	..
24	27	..	..	..	..	5	..	5	..
27	30	..	..	1	..	4	..	5	..
30	35	..	..	1	..	3	..	4	..
35	40	..	..	1	..	1	..	2	..
40	45	1	..	1	..	3	..	5	..
45	50	..	..	1	..	..	..	1	..
50	60	..	..	..	..	..	..	..	..
60	70	..	..	..	..	2	..	2	..
70	80	..	..	..	..	..	..	..	..
80	100	..	..	..	..	1	..	1	..
100	200	..	..	..	..	..	..	..	..
200	..	..	..	..	..	1	..	1	..
Not known ..		2	..	12	..	3	1	17	1
Totals ..		4	..	35	1	98	1	137	2

RETURN D.

WORKMEN'S COMPENSATION ACT (VIII OF 1923)

Consolidated statement showing the number of accidents reported in which compensation was paid by employers direct without reference to Commissioners during 1939.

		Average number employed per day	Accidents					
			Nature of cases of injuries in respect of which final compensation has been paid during the year			Amount of compensation paid		
			Death	Permanent disablement	Temporary disablement	Death	Permanent disablement	Temporary disablement
						Rs. a. p.	Rs. a. p.	Rs. a. p.
Factories ..	Adults	57 648	*1	47	576	3 0 0	8,837 9 2	5,950 15 1
	Minors	70	..	..	..	..	..	..
Railway workshops	Adults	26,199	..	8	616	..	5,245 2 0	4,852 9 0
	Minors	..	..	..	..	..	..	..
Electric works	Adults	2,004	..	1	29	..	42 0 0	227 0 0
	Minors	..	..	..	..	..	..	..

Miscellaneous ..	Adults	111	..	2	2	..	549 0 0	35 13 0
	Minors	10	..	..	..	..	..	..
Total ..	Adults	85,962	1	58	1,223	3 0 0	14,673 11 2	11,066 5 1
	Minors	..	..	..	..	..	..	..
	GRAND TOTAL ..	86,042	1	58	1,223	3 0 0	14,673 11 2	11,066 5 1

		Rs. a. p.
Totals ..	Factories	14,791 8 3
	Railways	10,097 11 0
	Electric works	269 0 0
	Miscellaneous	584 13 0
	GRAND TOTAL ..	25,743 0 3

*Advanced as part-compensation.

RETURN D-1.

WORKMEN'S COMPENSATION ACT (VIII OF 1923)

Consolidated statement showing the number of cases of accidents and occupational diseases in which compensation was paid by employers after reference to Commissioners in the United Provinces during 1939

		Accidents					
		Nature of cases of injuries in respect of which final compensation has been paid during the year			Amount of compensation paid		
		Death	Permanent disablement	Temporary disablement	Death	Permanent disablement	Temporary disablement
					Rs. a. p.	Rs. a. p.	Rs. a. p.
Factories	Adults ..	*30	19	1	15,103 15 10	5,488 13 0	250 0 0
	Minors	..	..	..	..	..	..
Railway workshops ..	Adults	28	14	1	20,340 0 0	7,506 3 0	240 0 0
	Minors	..	..	..	..	..	..
Electric works ..	Adults	7	1	1	5,004 8 0	34 12 0	100 0 0
	Minors	..	..	..	..	..	..

Miscellaneous ..	Adults	30	2	†	21,628 12 2	666 5 0	..
	Minors	..	..	..	..	..	..
Total	Adults	95	36	3	62,077 4 0	13,696 1 0	590 0 0
	Minors	..	..	..	..	..	..
Grand Total		95	36	3	62,077 4 0	13,696 1 0	590 0 0

		Rs. a. p.
Totals ..	Factories	20,842 12 10
	Railways	28,086 3 0
	Electric works	5,139 4 0
	Miscellaneous	22,295 1 2
	Grand Total ..	76,363 5 0

*Four cases of fatal accidents in which appeals are pending in the High Court, Allahabad, are not included as the compensation was not paid during the year.

†One case of temporary disablement in which compensation was allowed, but nothing was paid during the year is not included.

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